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12378/1
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Stephane BOHBOT et al.
Serial No. : 10/070,626
Filing Date : July 10, 2002
For : BATTERY CHARGER NOTABLY FOR A PORTABLE
TELEPHONE
Examiner : Bao Q. VU
Group Art Unit : 2838

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

SIR:

Applicant hereby petitions to have the holding of abandonment dated February 21, 2007 for the above-identified patent application withdrawn in view of the following facts:

A Non-Final Office Action mailed August 14, 2006 was received by the undersigned Attorney for Applicant. The Office Action set a three-month response period expiring November 14, 2006.

On February 14, 2007, Applicant's Attorney mailed to the Patent Office a Transmittal Letter and an Amendment, including a Request for Extension of Time. The extension of time was for three months and requested extension of the response period to February 14, 2007. The Extension Request indicated a valid deposit account from which to deduct the three-month extension fee. Both the Transmittal Letter (which included the

EXPRESS MAIL NO.: EV 321 841 110 US

Request for Extension of Time) and the Amendment had a certificate of mailing dated February 14, 2007 and were signed by Applicant's Attorney or an assistant to Applicant's Attorney. A postcard listing the Amendment, the Extension Request and the Deposit Account Number, and bearing a date stamp of receipt dated February 21, 2007 was received from the Patent Office.

Copies of the Transmittal/Extension Request, Amendment and post card receipt are enclosed herewith.

In light of the above, it is respectfully submitted that a timely response to the Office Action of August 14, 2006 was filed. It is therefore respectfully requested that the Notice of Abandonment be withdrawn and the application returned to the Examiner for further action.

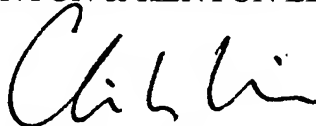
It is believed that no fee is necessary in connection with this Petition. However, should a fee be required, the Commissioner is authorized to charge Deposit Account No. 11-0600. This Petition is submitted in duplicate.

Respectfully submitted,

KENYON & KENYON LLP

Date

MARCH 20, 2007



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Case No. 12378/1
Ser. No. 10/070,626

Atty. CAU
Due Date

The Impressed Mail Room date stamp acknowledges receipt of the date indicated of:

- ☐ Application
- ☒ Amendment
- ☐ Assignment
- ☐ Notice of Appeal
- ☐ Prior Art Statement
- ☐ Appeal Brief

- ☒ Extension Request
- ☐ Priority Document
- ☐ Issue Fee
- ☐ Declaration
- ☐ Small Entity
- ☒ Deposit Account 11-0600



2/14/07

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PATENT
Docket No.: 12378/1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Stephane BOHBOT et al.
SERIAL NO. : 10/070,626
FILED : July 10, 2002
FOR : BATTERY CHARGER NOTABLY FOR A PORTABLE
TELEPHONE
GROUP ART UNIT : 2838
EXAMINER : Bao Q. VU
Confirmation No. : 9382

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mails Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on

Date: February 14, 2007 Reg. No. 42,194

Signature: _____

Clifford A. Ulrich

TRANSMITTAL OF RESPONSE AND PETITION FOR EXTENSION OF TIME

SIR:

In response to the Office Action mailed on August 14, 2006, Applicants submit herewith a Response and Petition for Extension of Time.

Applicants believe there is no fee due for additional claims.

Applicants respectfully request a three-month extension of time in which to respond to the Office Action mailed August 14, 2006, for which a response period expiring on November 14, 2006 was set. The extended period expires on February 14, 2007. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.136(a) extension fee of 1,020.00 to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**.

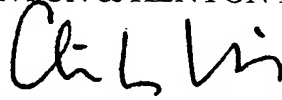
Further, the Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**.

A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,
KENYON & KENYON LLP

Dated: February 14, 2007

By:



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[12378/1]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/070,626
Title : BATTERY CHARGER NOTABLY FOR A PORTABLE
TELEPHONE
Applicant : Stephane BOHBOT et al.
Filed : July 10, 2002
Art Unit : 2838
Examiner : Bao Q. Vu
Confirmation No. : 9382

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
to: Mails Stop Amendment, Commissioner for Patents, P. O. Box 1450,
Alexandria, VA 22313-1450 on

Date: February 14, 2007

Signature: Josephine B. Hardy

Josephine B. Hardy

RESPONSE

S I R:

This paper is responsive to the Office Action dated August 14, 2006 in
connection with the above-captioned application.

Amendments to the Claims do not appear in this paper. Nevertheless, a
listing of claims is provided for the Office's convenient reference.

Remarks begin on page 7 of this paper.

LISTING OF CLAIMS

Claims 1 to 12. (Canceled).

13. (Previously Presented) A set, comprising:
a battery charger, charge parameters of the battery charger being variable;
a unit including a battery to be charged;
a connection element removable from the battery charger; and
an arrangement outside the battery charger including at least one resistor;
wherein the battery charger includes a circuit adapted to set at least one electrical charge parameter of a charge upon connection of the unit to the battery charger via the connection element, the at least one electrical charge parameter being set by the circuit in accordance with a corresponding reference signal having a value dependent on a resistance of a corresponding one of the at least one resistor of the arrangement.

14. (Previously Presented) The set according to claim 39, wherein the connection element includes a cable, a first connector configured to cooperate with a complementary connector of the battery charger, and a second connector configured to cooperate with a complementary connector of the unit, and wherein the arrangement is arranged in one of the first connector and the second connector.

Claims 15 and 16. (Canceled).

17. (Previously Presented) The set according to claim 13, wherein the connection element includes a connector configured to cooperate with a complementary connector of the battery charger, the arrangement arranged in the connector of the connection element.

18. (Previously Presented) The set according to claim 13, wherein the arrangement is arranged in one a cable of the connection element and a connector configured to cooperate with a complementary connector of the unit.

19. (Previously Presented) The set according to claim 39, wherein the battery charger is configured to charge a battery of a portable telephone.

Claims 20 and 21. (Canceled).

22. (Previously Presented) A connection element configured to connect a battery charger to a battery unit, comprising:

at least one resistor; and

first connection terminals and second connection terminals, the first connection terminals adapted to deliver a charge from the battery charger to the battery unit, the second connection terminals adapted to connect the at least one resistor to a circuit of the battery charger and to deliver reference signals between the connection element and the circuit, the circuit adapted to set in the battery charger parameters of the charge of the battery unit delivered from the battery charger to the battery unit by the first connection terminals, the connection element removable from the battery charger and from the unit.

Claims 23 to 26. (Canceled).

27. (Previously Presented) The set according to claim 39, wherein the at least one resistor includes a plurality of resistors .

Claim 28. (Canceled).

29. (Previously Presented) The set according to claim 13, wherein the connection element includes a first connector configured to cooperate with a complementary connector of the battery charger, and a second connector configured to cooperate with a complementary connector of the unit.

30. (Previously Presented) The set according to claim 39, wherein the battery charger is connectable to a plurality of connection elements having varying geometric shapes, the plurality of connection elements including the connection element.

31. (Previously Presented) The set according to claim 39, wherein the battery charger includes at least one terminal connectable to a high potential current provider.

32. (Previously Presented) The set according to claim 38, wherein the battery charger includes at least one terminal connectable to a high potential current provider.

33. (Previously Presented) The set according to claim 39, wherein the connection of the unit to the battery charger forms an electric circuit, the at least one electrical charge parameter automatically determined as a function of a components value of the electric circuit.

34. (Previously Presented) The set according to claim 39, wherein the unit is one of a plurality of units, the battery charger connectable to each unit of the plurality of units, the connection element connectable only to the unit.

35. (Previously Presented) The set according to claim 39, wherein the at least one electrical charge parameter includes at least one of a voltage parameter and a current parameter.

36. (Previously Presented) The connection element according to claim 22, further comprising a first connector configured to cooperate with a complementary connector of the battery charger, and a second connector configured to cooperate with a complementary connector of the unit.

37. (Previously Presented) A set, comprising:
a battery charger, charge parameters of the battery charger being variable;
a unit including a battery to be charged; and
a connection element removable from the battery charger and including an arrangement, the arrangement including at least one resistor;
wherein the battery charger includes a circuit adapted to set at least one electrical charge parameter of a charge upon connection of the unit to the battery charger via the connection element, the at least one electrical charge parameter being set by the circuit in accordance with a corresponding reference signal having a value dependent on a resistance of a corresponding one of the at least one resistor of the arrangement.

38. (Previously Presented) The set according to claim 37, wherein:
the connection element includes a cable, a first connector configured to cooperate with a complementary connector of the battery charger, and a second connector configured to cooperate with a complementary connector of the unit; and
the arrangement is arranged in one of the first connector and the second connector.

39. (Previously Presented) A set, comprising:
a battery charger, charge parameters of the battery charger being variable;
a unit including a battery to be charged;
a connection element configured to connect the unit to the battery charger and removable from the battery charger and from the unit; and
an arrangement arranged in the connection element, the arrangement including at least one resistor;
wherein the battery charger includes a circuit adapted to set at least one electrical charge parameter of a charge upon connection of the unit to the battery charger via the connection element, the at least one electrical charge parameter being set by the circuit in accordance with a corresponding reference signal having a value dependent on a resistance of a corresponding one of the at least one resistor of the arrangement.

40. (Previously Presented) The set according to claim 13, wherein the connection element is removable from the unit.

Claim 41. (Canceled).

42. (Previously Presented) The set according to claim 13, wherein the at least one resistor includes a first resistor and a second resistor, the at least one electrical charge parameter including voltage of the charge and current of the charge, the circuit adapted to set the voltage of the charge in accordance with a first reference signal having a value dependent on the resistance of the first resistor, the circuit adapted to set the current of the charge in accordance with a second reference signal having a value dependent on the resistance of the second resistor.

43. (Previously Presented) The connection element according to claim 22, wherein the at least one resistor includes a first resistor and a second resistor, the battery charger parameters of the charge including voltage of the charge and current of the charge, the circuit adapted to set the voltage of the charge in accordance with a first reference signal having a value dependent on a resistance of the first resistor and to set the current of the charge in accordance with a second reference signal having a value dependent on a resistance of the second resistor.

44. (Previously Presented) The set according to claim 37, wherein the at least one resistor includes a first resistor and a second resistor, the at least one electrical charge parameter including voltage of the charge and current of the charge, the circuit adapted to set the voltage of the charge in accordance with a first reference signal having a value dependent on the resistance of the first resistor, the circuit adapted to set the current of the charge in accordance with a second reference signal having a value dependent on the resistance of the second resistor.

45. (Previously Presented) The set according to claim 39, wherein the at least one resistor includes a first resistor and a second resistor, the at least one electrical charge parameter including voltage of the charge and current of the charge, the circuit adapted to set the voltage of the charge in accordance with a first reference signal having a value dependent on the resistance of the first resistor, the circuit adapted to set the current of the charge in accordance with a second reference signal having a value dependent on the resistance of the second resistor.

REMARKS

I. Introduction

Claims 13, 14, 17 to 19, 22, 27, 29 to 40 and 42 to 45 are pending in the present application. In view of the following remarks, it is respectfully submitted that the present application is in condition for allowance, and reconsideration is respectfully requested.

II. Rejection of Claims 13, 22, 27, 35, 37, 39 and 42 to 45 Under 35 U.S.C. § 102(b)

Claims 13, 22, 27, 35, 37, 39 and 42 to 45 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,600,247 ("Matthews"). It is respectfully submitted that Matthews does not anticipate the present claims for at least the following reasons.

As an initial matter, the Office Action's reference to col. 4, lines 1 to 25 of Matthews is not understood, since this cited portion of Matthews corresponds to a portion of the section captioned "BRIEF DESCRIPTION OF THE DRAWINGS" referring to Figures 7 to 14, the section heading "DETAILED DESCRIPTION OF THE INVENTION" and the first line of the section captioned "DETAILED DESCRIPTION OF THE INVENTION."

Clarification is respectfully requested.

As another initial matter, the allegation of inherency is not understood, since the Office Action does not make clear that which is considered to be inherent. Clarification is therefore respectfully requested.

Regarding Matthews, the Office Action refers to and reproduces Figure 3 and refers to resistors 38, 40 and sense resistor 50. However, these components are plainly components of the battery-pack 30. Referring to Figure 2, Matthews states at col. 4, lines 61 to 64 that the battery-pack 30 and the charger 22 are isolated and disconnectable and that any information regarding the battery must be contained within the battery-pack 30. This is in stark contrast to claim 13, for example, which recites that a set includes a battery charger that includes a circuit adapted to set electrical charge parameter(s) and that the circuit of the battery charger sets the electrical charge parameter(s) in accordance with a reference signal that has a value that depends on a resistance of a resistor in an arrangement outside of the battery charger.

There is no indication whatsoever in Matthews that charger 22 includes a circuit that sets electrical charge parameter(s) based on values of resistance of any of the resistors 38, 40 and 50 upon connection of charger 22 to battery-pack 30. While there is a

line shown in Figure 3 between CHG output of battery capacity detect circuit and charger 22, the only mention of CHG output appears in col. 9, lines 23 to 28, to wit:

Whenever the voltage on the SB input is greater than or equal to the MCV threshold, an indication is provided on the CHG output, which output can be then sent to the charger. If the voltage on the SB input falls below 0.1 volt, this is recognized as a "battery removed" condition.

There is no mention or indication whatsoever as to whether the indication provided on the CHG output is in any manner based on, dependent on or otherwise related to resistances of any of the resistors 38, 40, 50. Thus, Matthews plainly fails to disclose, or even suggest, that charge parameter(s) are set by a circuit of a battery charger in accordance with a reference signal having a value dependent on a resistance of a resistor.

In view of the foregoing, it is readily apparent that Matthews fails to disclose, or even suggest, all of the features included in claim 13. As such, it is readily apparent that Matthews does not anticipate claim 13.

Independent claims 37 and 39 include features analogous to features included in claim 13. As such, it is respectfully submitted that Matthews does not anticipate claims 37 and 39 for at least the reasons more fully set forth above.

Referring to claim 22, claim 22 recites that a connection element, which is removable from a battery charger and a battery unit, includes connection terminals adapted to connect at least one resistor of the connection element to a circuit of the battery charger and to deliver reference signals between the connection element and the circuit of the battery charger. The Office Action does not even allege that Matthews discloses these features. Indeed, as mentioned above, Matthews states that the battery-pack 30 and the charger 22 are isolated and disconnectable. There is no disclosure or suggestion by Matthews of a connection element that is removable from battery 10 as well as removable from the charger 22. Furthermore, to the extent that resistors 38, 40, 50 might be considered to be connected to charger by connection terminals, there is no disclosure or suggestion by Matthews that reference signals are delivered between a connection element, which is removable from a battery charger and a battery unit, by connection terminals that connect any of resistors 38, 40, 50 to charger 22. As such, it is readily apparent that Matthews fails to disclose, or even suggest, all of the features included in claim 22. It is therefore respectfully submitted that Matthews does not anticipate claim 22.

In summary, it is respectfully submitted that Matthews does not anticipate any of independent claims 13, 22, 37 and 39.

As for dependent claims 27, 35 and 42 to 45, it is respectfully submitted that Matthews does not anticipate these dependent claims for at least the reasons more fully set forth above.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

III. Rejection of Claims 14, 17 to 19, 29 to 32 and 34 to 40 Under 35 U.S.C. § 103(a)

Claims 14, 17 to 19, 29 to 32 and 34 to 40 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Matthews and U.S. Patent No. 5,535,274 ("Braitberg et al."). It is respectfully submitted that the combination of Matthews and Braitberg et al. does not render unpatentable the present claims for at least the following reasons.

Referring to independent claims 37 and 39, as more fully set forth above, Matthews does not disclose, or even suggest, all of the features included in these independent claims. Braitberg et al. are not relied upon for disclosing or suggestion the features of claims 37 and 39 that are not disclosed or suggested by Matthews. As such, it is respectfully submitted that the combination of Matthews and Braitberg et al. does not render unpatentable independent claims 37 and 39.

As for dependent claims 14, 17 to 19, 29 to 32, 34 to 36, 38 and 40, it is respectfully submitted that Braitberg et al. do not cure the critical deficiencies of Matthews. As such, it is respectfully submitted that the combination of Matthews and Braitberg et al. does not render unpatentable dependent claims 14, 17 to 19, 29 to 32, 34 to 36, 38 and 40 for at least the reasons more fully set forth above.

In view of the foregoing, withdrawal of this rejection is respectfully requested.

IV. Conclusion

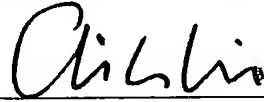
It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Dated:

Feb. 14, 2007

Respectfully submitted,

By:



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